

**MINUTES OF THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**November 6, 2001**

**DIVISION ONE**

B150627      Mark Pollock                      (Not for Publication)

v.

Superior Court, Los Angeles County

(Northwestern Mutual Life Insurance Company, r.p.i.)

The petition is denied. The parties are to pay their own costs of these writ proceedings.

Vogel (Miriam A.), J.

We concur:    Spencer, P.J.  
                     Mallano, J. (Opinion)

**DIVISION TWO**

B144194      People                                      (Not for Publication)

v.

Kevin Deshawn Lucas

The judgment is affirmed.

Nott, J.

We concur:    Boren, P.J.  
                     Cooper, J.

DIVISION TWO (Continued)

B146245      Wallis Jean Nicita                      (Not for Publication)

v.

Steven Gourley, as Director, etc.

The judgment is affirmed. Respondent(s) to recover costs.

Nott, J.

We concur:    Boren, P.J.

Todd, J.

B148570      Patrick Colecchio                      (Not for Publication)

v.

Random House, Inc., et al.

The judgment is affirmed. Respondent(s) to recover costs.

Nott, Acting P.J.

We concur:    Cooper, J.

Todd, J.

B146857      Joseph Fogel et al.                      (Not for Publication)

v.

Unum Corporation et al.

The judgment is affirmed. Respondent(s) to recover costs.

Nott, J.

We concur:    Boren, P.J.

Cooper, J.

## DIVISION TWO (Continued)

B146982      Bossert      (Not for Publication)  
v.  
Schamber et al.

The order under review is affirmed.

Boren, P.J.

We concur:   Nott, J.  
                      Cooper, J.

B143519      LASVN#2, et al.      (Not for Publication)  
v.  
Van Ness and Sperry, Inc., et al.

The order under review is affirmed.

Boren, P.J.

We concur: Nott, J.  
Cooper, J.

[illegible]

The judgment is affirmed.

Nott, Acting P.J.

We concur: Cooper, J.  
Todd, J.

DIVISION TWO (Continued)

B147145      Walters et al.                      (Not for Publication)  
                         v.  
                         City of Los Angeles et al.

The judgment is affirmed. Respondents shall receive costs on appeal.

Nott, J.

We concur:    Boren, P.J.  
                         Cooper, J.

B140090      J&P Riverside Hotel Corporation et al.      (Not for Publication)  
                         v.  
                         Topdanmark (California), Inc., et al.

The judgment is affirmed. Respondents shall receive costs on appeal.

Nott, J.

We concur:    Boren, P.J.  
                         Todd, J.

B150238      Los Angeles County, D.C.F.S.      (Not for Publication)  
                         v.  
                         Jimella G.

The orders appealed from are affirmed.

Nott, J.

We concur:    Boren, P.J.  
                         Cooper, J.

## DIVISION TWO (Continued)

B139280      Sedaghat      (Not for Publication)  
v.  
Cedars-Sinai Medical Center et al.

The appeal is dismissed as to Dr. Fontana. The judgment in favor of Cedars and Dr. Lewin is affirmed. All respondents, including Dr. Fontana, are to receive costs on appeal.

Nott, J.

We concur:   Boren, P.J.  
                      Todd, J.

B140350 People (Not for Publication)  
v.  
Jeffries

The judgment is modified to impose a \$50 criminal laboratory analysis fee under Health and Safety Code section 11372.5 and a \$35 county penalty assessment under Government Code section 76000. The trial court is directed to prepare an amended abstract of judgment that reflects the laboratory analysis fee and county penalty assessment, and to forward the amended abstract of judgment to the Department of Corrections. In all other respects, the judgment is affirmed.

Boren, P.J.

We concur: Nott, J.  
Cooper, J.

B136960      Hinz  
v.  
Municipal Court of the Long Beach Judicial District, et al.

Filed order denying petition for rehearing.

## DIVISION FOUR

B150680 People (Not for Publication)  
v.  
Cromer

The judgment is affirmed.

Epstein, J.

We concur: Vogel (C.S.), P.J.  
Curry, J.

B139753      People      (Certified for Publication)  
v.  
Gofman, et al.

The orders dismissing counts 2 and 3 with regard to Palacios and 2, 3, 11, 12, 14 and 16 with regard to Gofman are affirmed. The orders dismissing count 18 with regard to Goldman, counts 30 and 34 with regard to Rosenberg, and counts 10, 13, 18, 30 and 34 with regard to Shvartsburd and Ankrom are affirmed. The orders dismissing counts 1 and 13 as to Gofman and Palacios, and counts 22 and 27 as to Shvartsburd and Ankrom are reversed.

Hastings, J.

We concur: Vogel (C.S.), P.J.  
Epstein, J.

## DIVISION FOUR (Continued)

B148299      The People                                  (Certified for Publication)  
v.  
Justin E.S., A Person Coming Under the Juvenile Court Law

Condition 15 is modified to read as follows: "Do not associate with any person known to you to be a gang member and anyone disapproved of by parents/P.O." Except to the extent of this modification to the conditions of probation imposed upon appellant, the judgment is affirmed.

Hastings, J.

We concur: Epstein, Acting P.J.  
Curry, J.

## DIVISION FIVE

Court convened at 8:00 A.M.

Present: Turner, P.J., Grignon, J., Mosk , J. and J. Belcher, Deputy Clerk.

B143047      People v. Owens

Argument waived, cause submitted.

B140743      Donald Almen et al.  
v.  
Calneva Oil Corporation

Merits:  
Argued by Terence A. Beard for appellants and by Robert Alan Huddleston  
for respondent-appellant.

DIVISION FIVE (Continued)

B144629     Donald Almen et al.  
              v.  
              Mobil Oil Corporation et al.

Merits:

Argued by Terence A. Beard for appellants and by Barry R. Schlom and Edward C. Duckers for respondents. Cause submitted.

Court recessed at 9:05 A.M.

Court reconvened at 9:07 A.M.

Present: Turner, P.J., Grignon, J., Armstrong, J. and J. Belcher, Deputy Clerk.

Each of the following:

B148637 People v. Elizalde  
B149513 People v. Purry  
B145626 People v. Wilson  
B146460 People v. Bradley  
B146359 People v. Samanc  
B145178 Porter v. USAA

Argument waived, cause submitted.

B148196     Office Electronics, Inc.  
              v.  
              Theresa Deliberto et al.

Merits:

Argued by Henry Ben-Zvi for appellant and by Matthew C. Mickelson for respondents. Cause submitted.



DIVISION FIVE (Continued)

B141706      Jeri Laird  
                  v.  
                  Aaron Spelling

Merits:

Argued by Rhonda K. Walker for appellant and by Matthew Neil Falley for respondent. Cause submitted.

Court recessed at 9:40 A.M.

Court reconvened at 10:00 A.M.

Present: Turner, P.J., Grignon, J., Armstrong, J. and J. Belcher, Deputy Clerk.

Each of the following:

B142384 People v. Carcamo  
B144765 People v. Sanders  
B150555 D.C.F.S. v. Gail S.  
B149947 D.C.F.S. v. Veronica D. and Jose D.

Argument waived, cause submitted

B148079      Scott Linsley  
                  v.  
                  Fox Television Stations, Inc.

Merits:

Argued by Ronald P. Kaplan for appellant and by Ted Russell for respondent. Cause submitted.

DIVISION FIVE (Continued)

B145098     Dong Kim  
              v.  
              Michael Judge et al.

Merits:  
Argued by Lawrence P. House for appellant and by Jin Suk Choi for respondents. Cause submitted.

B147219     People  
              v.  
              Henry Gage

Merits:  
Argued by Julie Schmit, deputy district attorney for appellant and by Athena Shudde for respondent. Cause submitted.

Court recessed at 10:55 A.M.

Court reconvened at 11:00 A.M.

Present: Turner, P.J., Armstrong, J., Mosk, J., and J. Belcher, Deputy Clerk.

Each of the following:

B149598 People v. Marquez  
B149513 People v. Purry  
B148775 People v. Rangel  
B149427 People v. Aranda

Argument waived, cause submitted

B145239     People  
              v.  
              Robert Howell

Merits:  
Argued by Nancy J. King for appellant. Respondent waived argument. Cause submitted.

DIVISION FIVE (Continued)

Court recessed at 11:10 A.M.

Court reconvened at 1:00 P.M.

Present: Turner, P.J., Armstrong, J., Mosk, J., and J. Belcher, Deputy Clerk.

B147455      Kid's Universe v. In 2 Labs

Argument waived, cause submitted

B137605      Sue Rawlings  
v.  
Ossama Ascha et al.

Merits:

Argued by Wayne T. King for appellant and by Curt Cutting for respondents. Cause submitted.

B150383      Derrick White et al.  
v.  
Wilfredo Contreras et al.

Merits:

Argued by Arash Homanpour for appellants and by Angela Lui Walsh for respondents. Cause submitted.

B139936      Claire Ragge  
v.  
Law Offices of Hadsell & Stormer et al

Merits:

Argued by Joel F. Tamraz for appellant and by Anne Richardson for respondents. Cause submitted.

## DIVISION FIVE (Continued)

Court adjourned at 2:25

DIVISION SIX

B144188 People (Not for Publication)  
v.  
Nareau et al.

As to appellant Nareau, the gang enhancements under section 186.22, subdivision (b) are reversed and the case is remanded for further proceedings consistent with this opinion. The judgment is otherwise affirmed. As to appellant Contreras, the trial court shall modify the judgment to reflect an additional 16 days of presentence conduct credits, for a total of 63 days. The judgment is otherwise affirmed. The superior court shall prepare an amended abstract of judgment and shall forward a copy to the Department of Corrections.

Coffee, J.

We concur: Gilbert, P.J.  
Perren, J.

B148392      People                          (Not for Publication)  
v.  
Webb

The judgment is affirmed.

Coffee, J.

We concur: Yegan, Acting P.J.  
Perren, J.

## DIVISION SIX (Continued)

B149909 People (Not for Publication)  
v.  
Zapotitla

The judgment is affirmed.

Perren, J.

We concur: Yegan, Acting P.J.  
Coffee, J.